

AO 440 (Rev. 8/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

Southern

District of

New York

TIMOTHY GUSLER

## SUMMONS IN A CIVIL ACTION

Matthew Fischer, Salvatore Guerrieri, Peter J. Listro  
Assoc., Ltd., Unisar, Inc., Avita Corp., Target Corp.,  
Toys "R" Us, Inc., Amazon.com, Inc., Wal-Mart  
Stores, Inc. and Chelsea & Scott, Ltd.

CASE NUMBER: 07 CIV 9535 (RWS)

TO: (Name and address of Defendant)

Salvatore Guerrieri  
251 W. 30th Street  
New York, New York 10001

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Stephen M. Chin  
Charles von Simson  
von Simson & Chin LLP  
62 William Street, Sixth Floor  
New York, New York 10005

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

Format m/d/yyyy

(By) DEPUTY CLERK

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**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

Format m/d/yyyy

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Format m/d/yyyy

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.